

An Address  
On the Occasion of the Opening of the Law Term  
The Most Reverend Kanishka Raffel  
Archbishop of Sydney  
29 January 2024

Chief Justice, Madam President, your Honours, distinguished members of the legal profession, distinguished guests, ladies and gentlemen

As we gather again for the annual Law Term Commencement Service may I welcome you take the opportunity also to note with thanks to God the commemoration this year of the Bicentenary of the Supreme Court, constituted by the proclamation of the Third Charter of Justice on 17 May 1824, the same year that NSW (including Van Diemen's Land) was declared an Archdeaconery, (of the diocese of Calcutta) with Thomas Hobbes Scott appointed the first Archdeacon (and ex officio member of the Legislative Council).

As you know, the first Chief Justice, Sir Francis Forbes was a vigorous jurist, and in the course of his tenure defended the freedom of the press and trial by jury. He was independent, principled and resolute. None of this saved him from a stormy relationship with both Governor Darling and prominent citizens including John MacArthur and Samuel Marsden. Among other things he was accused of favouring the convict class and on returning to England he was a strong advocate for the cessation of transportation. In these and other ways he laid a personal foundation of integrity, rigour and compassion, and a deep sense of the common good which I think we may confidently say has endured in the public administration of justice in our State.

This service is part of the way in which we as the wider community give thanks for those who safeguard and continue to promote this legacy, and I am delighted to welcome you.

At the heart of the familiar story of the feeding of the 5000 is the description of Jesus' reaction to the crowd. It is a picture of compassionate leadership.

*As Jesus went ashore he saw a great crowd, and he had compassion on them, because they were like sheep without a shepherd...*

The word for 'compassion' is only ever used in the gospels to describe Jesus or someone in a parable who represents Jesus. Actually the word translated 'compassion' is a metaphor - literally it's something like - he felt kicked in the guts. It's a visceral reaction that propels Jesus into action. Action that proceeds from compassion. So I'd like to speak about the fruit of the compassion of Jesus.

First, Jesus' compassion provides for the people.

Mark tells us that when Jesus 'saw the crowd he had compassion on them because they were like sheep without a shepherd'. The expression 'sheep without a shepherd' has a long history in Israel. It occurs many times over in the Old Testament. And every time it appears, it refers to a crisis of leadership.

In the book of Numbers, when Moses is about to die, he prays that God would send a new leader to lead the people so that they may not be as sheep without a shepherd. The picture of the shepherd in the OT is not pastoral but *political*. To be sheep without a shepherd was to raise the specter of having no leadership.

This comes like a kick in the guts to Jesus. So what does he do about it? Two things. He teaches them and, of course, he feeds them.

With miraculous bread. The miracle of the feeding of the 5000 is the only miracle recorded in all four gospels, alongside the resurrection.

Let me make some brief observations about miracles.

Philosophically, you will either rule out the possibility of God and conclude that miracles and the suspension of the laws of nature is impossible, or you will allow the possibility of God who may then be considered the transcendent author of the laws of nature and therefore capable, if he wills, of suspending them.

But examined from an historical rather than philosophical point of view, we can note two things. First, the gospels record that the opponents of Jesus did not dispute that he performed great deeds. They disputed the source of his power. His enemies thought his power came from Satan, but they did not dispute that he performed miraculous deeds.

And second, ancient sources from non-Christian authors also confirm that Jesus was thought to be a miracle worker. That doesn't mean that he was a miracle worker, of course, but it does mean that the miracle stories were not added later after centuries of being inflated and embellished. They were current within the lifetime of people who could have said that they never happened.

The late JP Meier, Jesus scholar and Professor at Notre Dame University, in his five volume magnum opus, *A Marginal Jew: Rethinking the Historical Jesus* devotes 500 pages to examining the miracles of Jesus, and concludes:

*The miracle traditions about Jesus' public ministry are already so widely attested in various sources and literary forms by the end of the first Christian generation that total fabrication by the early church is practically speaking, impossible.*

But let's think about why it is important for this to be miraculous bread.

The real point of the miracle is not just that Jesus can do powerful things. They point to the purpose of his power. The real point is that there is a new world coming. There is a new creation coming; the world we all want. We've got used to a world of hunger, a world of disease, a world of natural disaster and death.

But Jesus teaches his disciples to pray, 'your kingdom come, your will be done on earth as it is in heaven' - that prayer has not yet been answered in fullness. But the miracles point to the day when it will be answered. The day when there will be no more tears and no more war and no more hunger – when the kingdom comes.

The synoptic gospel writers locate the story of the 5000 immediately after the story of King Herod putting to death John the Baptist. The episodes are arranged to contrast two kings and two kingdoms – there is the Herod's barren and bloody banquet, and there is Jesus' life-giving bread that endures and satisfies.

The miracles of Jesus don't overturn nature, they *restore* nature; they are the kingdom of God breaking into a world that has become distorted and broken by its rejection of God's order and loving rule.

And the kingdom comes in Jesus. He is the bread that God provides to a world that is hungry for healing and hope - and justice.

Today, when disciples pray ‘your will be done on earth, as it is in heaven’, we dedicate ourselves to the service of God and the world that he is going to bring through the reign of the Son. As the miracles of Jesus point to that future, healed and renewed world, so the ordinary work of the followers of Jesus contributes to God’s present work of bringing order out of chaos, and anticipate the future perfected world that is yet to come.

Martin Luther said, *‘What else is all our work to God – whether in fields, the city, the house, in war or in government – but (that) by which God wants to give his gifts in fields, at home and everywhere else?...Your work is a very sacred matter. God delights in it.’*

Tom Holland in his book *Dominion: The Making of the Western Mind* describes the work of the 12th century monk, Gratian who introduced his catalogue of canon law by quoting the apostle Paul in the letter to the Galatians: ‘the entire law is summed up in a single command; Love your neighbor as yourself’.

Gratian understood from his bible that all souls were equal in the sight of God, and justice could only be done within a Christian legal system if it were founded on this principle. This overturned age old assumptions about the primacy of custom and the privilege of the great over the humble, and replaced it with a new conviction that the purpose of the law was to provide equal justice to every individual regardless of rank, or wealth, or lineage – for all were equally children of God. “May your will be done on earth as it is in heaven.”

Jesus had compassion on the people. So he taught them and he fed them - the gospel of the kingdom and bread from heaven.

Second, Jesus' compassion sacrifices himself for the world.

When the disciples bring the bread and fish to Jesus, we're told, he looked up to heaven, blessed and broke the loaves and gave it to the disciples to distribute. He blessed and he broke and he gave. Just the same words are used when Mark records the events of the Last Supper – he blessed and he broke and he gave. (Mark 14:22)

Jesus is a new Moses in the desert feeding bread from heaven to his people; Mark tells us they all ate and were satisfied. And at the Last Supper - as the disciples remember the first Exodus when Moses led the people out of slavery, Jesus breaks the bread, and says 'this is my body'.

On the cross there is a second Exodus, on the cross Jesus experiences the judgement of God that should have fallen on us, on the cross his body is broken for the sins of the world, on the cross we are delivered from sin and death and judgement. From the cross flows the blessing of forgiveness, adoption and life.

You know better than I the limits of human law. We are neither completely knowledgeable, nor completely good. Even at its best, we know that legal remedy is often only one part of the justice that is sought or required. Perfect atonement, perfect reconciliation, and perfect justice lie beyond us.

But Jesus makes himself weak to give us life, he is broken that we may be whole, he dies that we might live. When we eat the bread of the cross, when we receive the forgiveness that he offers and yield to the Lordship that he exercises; then he calls us to a life like his, a life of service for the sake of others.

Jesus who gives himself on the cross out of compassion for a self-obsessed world, creates a community of compassion to be servants in the world.

It's important to see the difference and the relationship between the two. Jesus gives himself to be broken, to die, on the cross, in our place, for our sakes. Only he can do this.

But in the desert, and in the upper room, and around the cross ever since, Jesus calls into existence a community stamped with self-sacrifice that has been satisfied in him and is sent by him into the world to be poured out in his service.

My Lords, Ladies and gentlemen, the work that you do, is not miraculous. God uses means. That is to say that he works by his appointed agents. To those who are his, he gives his Spirit that they may do the works in the world that he has prepared in advance for us to do. In his common grace, there is good that is done by any who are willing. You need be neither theist nor Christian to serve the interests of justice.

But if I may say so, the diligent, accountable and indifferent administration of justice in our State, anticipate, albeit imperfectly, a day when the kingdom will come on earth in fullness and perfection, as it is in heaven, and every tear will be wiped away, the poor and the oppressed will be lifted up and the proud and the unjust brought low.

Jesus who gave himself out of compassion for the world on the Cross, creates a community of compassion that pours out its life to serve the world for his sake. I see that compassion in you, and I thank God for it.